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DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

SR-B-101—Pulaski County, Arkansas

1937 AGRICULTURAL CONSERVATION PROGRAM—SOUTHERN REGION

BULLETIN 101—PULASKI COUNTY, ARKANSAS

Pursuant to the authority vested in the Secretary of Agriculture under section 8 of the Soil Conservation and Domestic Allotment Act, as amended, payments will be made, in connection with the effectuation of the purposes of section 7 (a) of said Act for 1937 in Pulaski County, Arkansas, in accordance with the provisions of this Southern Region Bulletin 101—Pulaski County, Arkansas, and such modifications or other provisions as may hereafter be made.

The 1937 Agricultural Conservation Program has been developed in accordance with the provisions of sections 8, 15, and 16 of the Soil Conservation and Domestic Allotment Act, but the payment of any benefits pursuant to the provisions of this bulletin is contingent upon such appropriation, if any, as the Congress of the United States may hereafter make for such purpose, and the amounts of such payments will be finally determined by such appropriation and the extent of participation in the program. The rates of payment and the soil-building allowance herein set forth are computed upon the basis of an appropriation of \$500,000,000 for the 1937 program and 85 percent participation by farmers in all regions. Such rates of payment, deductions, and the soil-building allowance may be increased or decreased, depending upon the extent of participation, but such variations will not be in excess of 10 percent.

Pulaski Program A applies only to those farms for which a cotton base in excess of five acres can be established in 1937.

Pulaski Program B applies only to those farms for which no cotton base can be established in 1937 or the cotton base which can be established in 1937 is not in excess of five acres.

Part I. Pulaski Program A

SECTION 1. Soil-Building Allowance under Pulaski Program A.—The soil-building allowance for each farm under Pulaski Program A shall be the amount by which the maximum class I payment that may be earned on the farm in 1937 is less than \$20.00. Such allowance can be earned by carrying out any of the practices approved under Pulaski Program B.

SEC. 2. Rate of Class I Payment.—On any farm for which a cotton base in excess of five acres can be established a payment will be made for each acre diverted from the cotton base for the farm in 1937, at the rate of 5.8 cents for each pound of the normal per acre cotton yield, as

adjusted for the farm, on an acreage not to exceed 35 percent of such base, provided that for each acre diverted for payment one acre of soil-conserving crops must be grown on cropland or an acre of cropland must be properly terraced in 1937.

SEC. 3. Division of the Class I Payment.—The class I payment made with respect to any farm shall be divided as follows:

(a) Thirty-seven and one-half (37½) percent to the producer who furnishes the land;

(b) Twelve and one-half (12½) percent to the producer who furnishes the workstock and equipment;

(c) Fifty (50) percent to be divided among the producers who are parties to the lease or operating agreement in the proportion that such producers are entitled to share in 1937 in those soil-depleting crops, or the proceeds of such crops, in connection with which the class I payment is made.

SEC. 4. Division of the Class I Payment Between Producers on a Farm.—On any farm where there are two or more producers, the part of the class I payment to the farm which is divided on a crop-share basis shall be divided among the producers on the farm on the basis of each producer's contribution to the difference between the cotton base acreage and the 1937 cotton acreage on the farm. (The contribution of each producer shall be determined by agreement of all such producers as indicated by their signatures on the application for payment and the County Committee shall approve such agreement and indicate such approval by its certification on such application for payment, unless the Committee finds that one or more of such producers did not voluntarily enter into such agreement but were coerced into doing so.) In cases where all interested parties do not agree as to their respective contribution to the difference between the cotton base and the 1937 cotton acreage, the County Committee shall recommend the division of such acreage between such persons on the basis found by it to be in all the circumstances most fair and equitable.

Part II. Pulaski Program B

SECTION 11. Deduction for Exceeding Cotton Base.—If the acreage of cotton on any farm in 1937 exceeds the cotton base for 1937 for such farm, a deduction will be made in an amount equal to the result obtained by multiplying the number of such excess acres by the rate per acre determined for the farm under section 2, part I.

SEC. 12. Soil-Building Allowance under Pulaski Program B.—The soil-building allowance for each farm under Pulaski Program B shall be the sum of the items listed below or \$20.00, whichever is the greater.

(a) Sixty-five cents (65¢) for each acre of cropland.

(b) \$1.50 additional for each acre of cropland on which commercial vegetables were grown in 1936.

(c) \$1.50 additional for each acre in commercial orchards on the farm on January 1, 1937.



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TABLE OF CONTENTS

Department of Agriculture:	
Agricultural Adjustment Administration:	
Agricultural conservation program, 1937:	
Southern region, Bulletin 101, Pulaski County, Ark.	785
Bureau of Animal Industry:	
Declaring names of counties placed in modified tuberculosis-free accredited areas.	789
Federal Communications Commission:	
Ship radio telegraph safety instructions, Change No. 1.	790
Federal Trade Commission:	
Orders appointing examiners, etc., in the matter of:	
California Lumbermen's Council, et al.	791
Dahl, Archie Richard, trading as Reliable Sales Co.	791
Russek's Fifth Avenue, Inc.	791
Shapiro, Henry R., trading as Monarch Fashion Co.	792
Securities and Exchange Commission:	
Orders rescinding orders for hearing, etc., in the matter of the application of:	
Eastern Shore Gas Co.	792
Eastern Shore Gas Co., of Virginia, Inc.	792
Orders terminating proceedings, offering sheets by:	
Creager, Geo. C., Inc.	792
Haynes, James R.	793
Stop order in the matter of:	
Livingston Mining Co.	793
Suspension orders, etc., offering sheets by:	
Creager, Geo. C., Inc.	793
Knickerbocker, P. R.	794
Lieberman, J. H., Inc.	794

SEC. 13. *Soil-Building Practices.*—The provisions of this section 13 are applicable *only* under Pulaski Program B and to farms under Pulaski Program A which may not earn a class I payment of as much as \$20.00.

A class II payment will be made for carrying out any one or more of the following soil-building practices in 1937 at the rates and upon the conditions listed in this section 13, provided that

(a) in no event will the total of the class II payment respecting any farm exceed the soil-building allowance for the farm.

(b) none of the labor, seed, or materials for such practice is furnished or paid for by any Federal or State agency, and

(c) the practice is carried out by such methods and with such kinds and quantities of adapted seed, trees, and other material as conform to good farming practice.

Practice Number—Practices and Conditions—Rate of Payment

1. Alfalfa planted on cropland in 1937: \$2.50 per acre.
 2. Lespedeza, Austrian winter peas, vetch, or other locally adapted winter legume, or legume mixture¹ seeded on cropland in 1937: \$1.50 per acre.
 3. Soybeans, velvet beans, cowpeas, lespedeza, or other locally adapted summer legume, grown on cropland in 1937 and vines or stalks left on land or turned under: \$1.00 per acre.
 4. Bur clover, Austrian winter peas, vetch, or other locally adapted winter legume, plowed under in 1937, provided a reasonably good growth is attained: \$1.00 per acre.
 5. Establishment in 1937 of permanent pasture of perennial grasses or any pasture grass and legume mixture, on cropland or non-crop open pasture land on slopes of less than 5 percent: \$3.00 per acre.
 6. Establishment in 1937 of permanent pasture of perennial grasses or approved pasture grass and legume mixture, on cropland or non-crop open pasture land on slopes of 5 percent or greater, provided that:
 - (a) approximately one-third ($\frac{1}{3}$) and not less than one-fourth ($\frac{1}{4}$) of each 100 feet of slope length shall be plowed (broken) on the approximate contour and planted to Bermuda grass,
 - (b) the intervening strips are seeded to perennial grasses or legumes and one or more grasses,
 - (c) the land is kept free of bushes and weeds, and
 - (d) the pasture is protected from excessive grazing: \$3.50 per acre.
 7. Forest trees, including post-producing species, planted on cropland in 1937: \$5.00 per acre.
 8. Establishing a winter cover crop on two acres or less by seeding fall oats or any other locally adapted small grains or mixtures of small grains and winter legumes, provided that:
 - (a) seeding is done not later than October 15, and
 - (b) seeding is done at the rate of at least two bushels of oats (or the equivalent thereof) per acre: \$1.00 per acre.
 9. Sixteen percent superphosphate or its equivalent² applied in 1937 on pastures or soil-conserving crops (excluding soybeans, cowpeas, velvet beans, and peanuts) but payment will not be made on an amount less than 100 pounds or in excess of 400 pounds per acre: \$0.50 per 100 pounds.
 10. Terracing land in 1937 in accordance with approved terracing practices for the land, including proper outlets: \$0.40 per 100 feet.
- SEC. 14. *Division of the Class II Payment.*—The class II payment with respect to the acreage on which any approved soil-building practice is carried out on any farm shall be made to the eligible producer who the County Committee determines under instructions issued by the Secretary has incurred the expense in 1937 of carrying out such soil-building practice; if the County Committee determines that two or more producers have shared in the expense incurred in carrying out such practice on the farm, the class II payment calculated for the particular acreage with respect to which such producers shared in such expense shall be divided equally among them.

Part III. Establishment of Bases and Determination of Cropland applicable under programs A and B

SECTION 21. Cotton Base and Yield Per Acre.—(a) Cotton Base.—

(1) The cotton base for the farm in 1937 shall be the cotton base which was or could have been established for the farm under the 1936 Agricultural Conservation Program, subject to necessary acreage adjustments based on land measurements made in connection with the 1936 and 1937 Agricultural Conservation Programs and further adjustments that will result in a cotton base for the farm which is comparable with cotton bases for other farms in the same community which are similar with respect to size, type of soil, topography, production facilities, type of farming, and farming practices.

(2) If, for causes other than flood, drought, or other abnormal weather conditions or because of substantial changes in the base acreage by the County Committee in 1936 after planting time, the acreage planted to cotton on the farm in 1936 was less than 50 percent of the cotton

¹ Mixtures of legumes listed in practice number 2 and non-legumes will be eligible for a payment of \$1.50 per acre, provided such legumes are seeded at a rate equal to at least fifty (50) percent of the normal rate for such legumes.

² For example, 100 pounds of 48 percent superphosphate is the equivalent of 300 pounds of 16 percent superphosphate.

base for the farm in 1936, the cotton base for 1937 shall be adjusted downward by the County Committee but not lower than 154 percent of the 1936 planted acreage.

(3) For farms on which cotton was grown in 1936 for the first time since 1933, a cotton base may be established on the basis of the acreage planted to cotton in 1936 subject to necessary adjustments based on land measurements made in connection with the 1936 and 1937 Agricultural Conservation Programs and further adjustments that will result in a cotton base for the farm which is comparable with cotton bases for other farms in the same community which are similar with respect to size, type of soil, topography, production facilities, type of farming, and farming practices.

(4) The sum of the cotton bases for the farms covered by work sheets in Pulaski County shall not exceed their proportionate share of the quota of cotton acreage established for such county by the Agricultural Adjustment Administration.

(b) Determination of Yield Per Acre.—

(1) The yield per acre of lint cotton for the farm shall be designated by the appropriate Community Committee, subject to such adjustment by the County Committee, as is necessary in order that the sum of the base cotton production for farms covered by work sheets in 1937 in the county shall not exceed the proportionate share of the quota of cotton production established for the county by the Agricultural Adjustment Administration.

(2) Each farm covered by a work sheet will have been inspected by at least one member of the Community Committee, serving for the community in which the farm is located, who shall report the facts to the Community Committee before the yield is designated for the farm.

(3) The yield designated for any farm shall be that yield, subject to adjustments indicated in this subsection (b), which the Community Committee finds from all available facts to be the yield which could reasonably be expected from the land devoted to the production of cotton on the farm. In designating the yield due consideration shall be given by such Committee to the trend of yield per acre as well as to the type of soil, drainage, erosion, production practices, and general fertility of the land. Other facts bearing on the yield which might reasonably be expected, including abnormal weather conditions, shall also be given due consideration. Such findings shall be examined by the County Committee in the light of all available facts and approved or modified by it accordingly.

Sec. 22. Total Cropland.—If the total acreage of cropland for the farm was established by accurate measurement in 1936, such acreage will be the 1937 acreage of cropland for the farm. If the total acreage of cropland for the farm was not so established in 1936, such acreage for the farm shall be established either by measurement in 1937 or on a basis which will result in an acreage of cropland comparable with that for farms on which such land was established by measurement.

Part IV. Miscellaneous Provisions Applicable Under Programs A and B

SECTION 31. Persons Who May Make Applications For Payment.—(a) An application for payment may be made by (1) an owner, (2) an operator, and (3) such other persons as may be designated by the Secretary.

(b) Payment will be made only upon application filed with the County Committee within the prescribed time. Each person applying for payment will be required to show that work sheets have been filed with the County Committee covering all land in the county owned or operated by him in 1937. Any person applying for payment who owns or operates farms in more than one county in Arkansas may be required to file with the State Committee a list of all such farms.

(c) A time limit for filing work sheets and applications for payment in the county will be designated by the State Committee subject to the approval of the Director of the

Southern Division, and when so approved at least two weeks' public notice shall be given in advance of the expiration of such time limit.

Sec. 32. Land Which May Be Covered by a Work Sheet and Application For Payment.—(a) A work sheet shall cover all of one farm only, except as provided in the following subsections of this section 32.

(b) If two or more farms in the county are under the same ownership and are operated by the same person, such farms may be covered by one work sheet.

(c) If two or more tracts of land in the county are under different ownerships, even though they are operated by the same person, each such separately owned tract shall be covered by a separate work sheet.

(d) Tracts of land under the same ownership located in Pulaski County and one or more adjoining counties and operated as a single farm in 1937 shall be regarded as located in the county in which the principal dwelling on such farm is located, or if there is no dwelling on such farm, as located in the county in which the major portion of such farm is located.

(e) Except as provided in subsection (f) below, the land covered by an application for payment shall be the land covered by a single work sheet. The application for payment filed with respect to any land shall show the name and the extent of the interest of each person entitled to share in the payment with respect to such land. The amount of payment to any person with respect to the land covered by the application for payment shall, subject to the provisions of section 33 below, be determined by the performance on such land.

(f) If any person operates more than one farm in the county, such person may, subject to the conditions of this subsection (f), make one application for payment with respect to all such farms or several applications each covering one or more of such farms.

(1) An application for payment covering two or more farms in the county which are operated by the same person may be made only with the consent (indicated by signatures on the application for payment) of all persons who, as owner, share-tenant, or share-cropper, have an interest in the crops (or the proceeds thereof) grown in 1937 on any farm covered by the application; except that the signature of any person shall not be required in order to permit a grouping of such farms if such person would not receive a payment if each such farm were covered by a separate application for payment.

(2) In making determinations with respect to the amount of payment to be made under such application (in accordance with the provisions of this subsection (f)), all farms covered by one application for payment shall be considered as one farm.

Sec. 33. Multiple Farm Holdings.—If any person making application for payment in the county has an interest as owner or operator in one or more farms in the county which are not covered by an application for payment under which payment may be made, such person is required to furnish the County Committee a showing as to the acreage of cotton grown in 1937 on each such farm. If the County Committee finds from evidence submitted to it and such measurement of such farms as is deemed necessary that any such person has materially increased the 1937 acreage of cotton above the cotton base on any such farm, performance shall be checked on all such farms. The procedure shall be as follows:

(a) For each such farm multiply the 1937 cotton acreage by the rate per acre (determined pursuant to section 2, part I), and multiply each such result by the percentage (determined pursuant to the provisions of section 3, part I) due such person. Total the results thus obtained.

(b) For each such farm multiply the cotton base by the rate per acre (determined pursuant to section 2, part I) and multiply each such result by the percentage (determined pursuant to the provisions of section 3, part I) due such person. Total the results thus obtained.

(c) If the total obtained under subsection (a) above exceeds the total obtained under subsection (b) above, such excess shall be deducted from any payment which otherwise would be made to such person with respect to farms in the county covered by an application for payment.

(d) The procedure outlined in this section 33 shall at the option of the Secretary be applied to all farms owned or operated by the same person in the State.

SEC. 34. *Appeals.*—Any person who has reason to believe that any recommendation of the County Committee concerning his farm is not equitable may request the County Committee to reconsider its recommendation. If such person fails to agree with the final recommendation of the County Committee, such person may make an appeal, in accordance with the provisions of Amendment 4 to Southern Region Bulletin 101.

SEC. 35. *Deductions for Expenses.*—There shall be deducted pro rata from the payment to any person with respect to a farm or farms all or such part, as the Secretary shall prescribe, of the estimated administrative expenses incurred and to be incurred in the field in carrying out the 1937 program.

There shall be credited for the payment of administrative expenses the sum of \$2.00 for each application for a farm on which the total payment (prior to deduction of any administrative expenses) as estimated by the Agricultural Adjustment Administration will be \$20.00 or less.

SEC. 36. *Farms Under Other Special Programs.*—On any farm where a program is carried out in cooperation with the Soil Conservation Service or the Resettlement Administration payment will be made only for such diversion and for carrying out such soil-building practices as are approved for the farm by the County Committee prior to performance in accordance with instructions issued by the Secretary.

SEC. 37. *Reckoning Payments Without Regard to Claims.*—Any share of the class I or class II payments shall be computed and paid without regard to questions of title under State law, without deductions of claims for advances, and without regard to any claim or lien against the crop or proceeds thereof in favor of the owner or any other creditor.

SEC. 38. *Changes in Leasing or Cropping Arrangement.*—If the Secretary, upon the basis of an investigation by the State Committee, finds that any person has for 1937 made any change from the 1936 leasing or cropping arrangement for the farm or has adopted any other device for the purpose of, or which would have the effect of, diverting to such person any payment to which tenants or share-croppers would be entitled if the 1936 leasing or cropping arrangement were in effect for 1937, the amount of any payment which otherwise would be made to such person may be withheld in whole or in part.

SEC. 39. *Abandonment, Foreclosure, Death, Etc.*—If prior to harvest a producer voluntarily ceases to cultivate, sells, abandons, or through his own fault or neglect loses control of the cotton crop in connection with which a class I payment may be made, such producer shall not be entitled to such payment or any share therein and whoever succeeds him and as such successor is entitled to such crop or to share in it or its proceeds shall be entitled to such payment or to share therein, as the case may be, provided that by agreement of such producer and such successor person or persons (such agreement to be indicated or confirmed by their signatures on the application for payment) the cotton acreage may be divided between them and such payment may be divided between them accordingly. In no case shall any person who as a result of attachment, foreclosure, or other legal process comes into possession of cotton in connection with which a class I payment may be made or the land on which such crop was planted be entitled to any share in such class I payment if the producer previously entitled to such crop or to share in it or its proceeds did not voluntarily abandon such crop, and the producer so dispossessed shall be entitled to such payment or to share therein, as the case may be. In case of the death or incompetency of a producer occurring during the period of performance under the 1937 program, class I

and class II payments shall be made or withheld in accordance with rules to be prescribed by the Secretary.

SEC. 40. *Payments Restricted to Effectuation of Purposes of the Program.*—No person shall be entitled to receive or retain any part of any payment if such person has adopted any practice which the Secretary determines tends to defeat the purposes of the 1937 program.

SEC. 41. *Other Provisions.*—No Community or County Committeeman shall have a voice in designating or approving any acreage or yield for any farm which he owns, operates, or controls; which is owned, operated, or controlled by his brother, sister, parent, child, or other near relative; or upon which he has a loan or other financial interest.

Part V. Classification of Land Use and Crops

Farm land when devoted to the crops and uses indicated below shall, except for such additions or modifications as may be approved by the Secretary, be classified as follows:

SEC. 51. *Soil-Depleting.*—Land on which any of the following crops is harvested shall, except as provided in section 53 below, be regarded as devoted to the production of soil-depleting crops for the year in which such crops are harvested.

- (a) Corn (field corn, sweet corn, or popcorn).
 - (b) Cotton.
 - (c) Potatoes (Irish or sweet).
 - (d) Truck and vegetable crops, including melons and strawberries.
 - (e) Peanuts harvested for nuts.
 - (f) Grain sorghums, sweet sorghums, millets, broomcorn, or Sudan grass, harvested for grain, seed, or forage.
 - (g) Small grains harvested for grain or hay (wheat, oats, barley, rye, buckwheat, or any mixture of any of these).
- SEC. 52. *Soil-Conserving.*—Land devoted to any of the following crops or uses shall be regarded as used for the production of a soil-conserving crop except that any land from which a soil-depleting crop is harvested in the same year shall be regarded as used for the production of a soil-depleting crop in such year, except as provided in section 53 below. Any acre on which two or more soil-conserving crops are grown in the same year shall not be counted as more than one acre of soil-conserving crops, except that any acre that is terraced in 1937 in accordance with approved terracing practices for the land and on which a soil-conserving crop is grown in 1937 may be allowed to count as two acres of soil-conserving crops.
- (a) Legumes, including vetch, winter peas, clovers, alfalfa, lespedeza, soybeans, velvet beans, crotalaria, and cowpeas.
 - (b) Peanuts, if pastured.
 - (c) Grasses, including Dallis, Natal, rye grass, timothy, orchard, Bermuda, and carpet, or grass mixtures.
 - (d) Grain sorghums (seeded solid), sweet sorghums, millets, or Sudan grass, not harvested for grain, seed, or forage, or grain sorghums planted in rows and plowed under.
 - (e) Cover crops, including rye, barley, oats, wheat, and grain mixtures, not cut for grain or hay, provided a reasonably good growth is left on the land or plowed under.
 - (f) Forest trees, planted on cropland since January 1, 1934.
 - (g) Terracing land in 1937 in accordance with good terracing practices for the land.

SEC. 53. *Soil-Conserving Crops Grown in Combination With or Following Soil-Depleting Crops.*—Land devoted to soil-conserving crops grown in combination with or following soil-depleting crops shall be classified as follows:

(a) All the acreage of soil-depleting row crops interplanted or grown in combination with summer legumes (classified in section 52 above as soil-conserving) shall be classified as soil-depleting, and

(1) One-half ($\frac{1}{2}$) of the acreage also shall be classified as soil-conserving, provided the legume occupies at least one-half ($\frac{1}{2}$) of the land and attains a reasonably good growth, or

(2) One-third ($\frac{1}{3}$) of the acreage also shall be classed as soil-conserving, provided the legume occupies at least one-third ($\frac{1}{3}$) but less than one-half ($\frac{1}{2}$) of the land and attains a reasonably good growth.

(b) All the land from which a soil-depleting crop is harvested in 1937 and followed by legumes (classified in section 52 above as soil-conserving) or perennial grasses (whether seeded in or following such crop) shall, in addition to being classified as soil-depleting, be classified as soil-conserving.

(c) All land from which a soil-depleting crop is harvested in 1937 and on which terraces are constructed according to good terracing practices for the land shall in addition to being classified as soil-depleting be classified as soil-conserving.

Part VI. Definitions

As used herein and in all forms and documents relating to the 1937 Agricultural Conservation Program (herein referred to as the 1937 program) in Pulaski County, the term—

Secretary means the Secretary of Agriculture of the United States.

Southern Region means the area included in the States of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Oklahoma, South Carolina, and Texas.

Southern Division means the division of the Agricultural Adjustment Administration in charge of the 1937 program in the Southern Region.

Pulaski County means the area in the State of Arkansas embraced in the county of Pulaski. Pulaski County is one of several areas in the Southern Region designated to operate under "Special Programs" as provided for in section 66 of Southern Region Bulletin 101.

State Agricultural Conservation Committee, herein referred to as State Committee, means the group of persons designated to assist the Secretary in the administration of the 1937 Program in the State of Arkansas.

County Agricultural Conservation Association, herein referred to as county association, means the association of producers in Pulaski County authorized by the Secretary to assist in the administration of the 1937 program in that county.

County Agricultural Conservation Committee, herein referred to as County Committee, means the group of persons designated to assist the Secretary in the administration of the 1937 program in Pulaski County.

Community Agricultural Conservation Committee, herein referred to as Community Committee, means the group of persons designated for a community within Pulaski County to assist the Secretary in the administration of the 1937 program in such community.

Person means an individual, firm, partnership, association, corporation, estate, or trust, and wherever applicable, a State, a political subdivision of a State or any agency thereof, or any other governmental agency that may be designated by the Secretary.

Owner means a person who (1) owns land which is not rented to another for cash or a fixed commodity payment, or (2) rents land from another for cash or a fixed commodity payment, or (3) is purchasing land on installments of cash or one or more commodities.

Operator means a person who as owner is operating a farm and is entitled to receive all or a portion of the crops produced thereon or of the proceeds of such crops, or who as share-tenant is operating a whole farm and is entitled under a written or oral lease or agreement to receive a portion of the crops produced thereon or of the proceeds of such crops.

Share-Tenant means a person other than an owner or share-cropper who is working a farm in whole or in part and is entitled under a written or oral lease or agreement to receive a portion of the crops produced thereon or of the proceeds of such crops.

Share-Cropper means a person who works a producer-unit under the supervision of an operator and is entitled under a written or oral agreement or State law to receive for his labor

a share of any or all of the crops produced thereon or of the proceeds of such crops.

Producer means an owner, share-tenant, or share-cropper.

Farm means all land which in 1937 is operated by a person with labor, workstock, and farm machinery substantially separate from that for any other land except that the parts of such land having separate owners shall be considered as separate farms.

Producer Unit means any tract of land (whether a whole farm or a subdivision thereof) on which in 1937 one or more crops are planted or grown and which is farmed by (1) an owner with his own or his family's labor or with hired labor other than one or more share-croppers, or (2) a share-tenant with his own or his family's labor or with hired labor other than one or more share-croppers, or (3) a share-cropper.

Cropland means all farm land which is tillable and on which at least one crop of any kind other than wild hay was harvested or planted for harvest at some time between January 1, 1930, and January 1, 1937, and all other farm land devoted on January 1, 1937, to bearing or non-bearing orchards or vineyards other than those abandoned.

Cotton Soil-Depleting Base, herein referred to as cotton base, means the acreage established for the farm as that normally used thereon for the production of cotton.

Class I Payment means the payment under Pulaski Program A for diversion of acreage from the cotton base to the production of soil-conserving crops on cropland or to proper terracing of cropland in 1937.

Class II Payment means the payment for carrying out any soil-building practice approved by the Secretary.

Soil-Building Allowance for any farm means the largest amount of money that will be paid as a class II payment for the farm.

Commercial Orchards means the acreage in tree fruits, cultivated nut trees, vineyards, or bush fruits on the farm on January 1, 1937, from which the principal part of the production is normally sold, including also the acreage of young non-bearing orchards from which the principal part of the production will be sold in 1937 or later.

Commercial Vegetables means the acreage of vegetables or truck crops (including Irish potatoes, sweetpotatoes, sweet corn, melons, cantaloupes, and strawberries, but excluding sweet corn for canning and peas for canning) from which the principal part of the production was sold to persons off the farm in 1936.

In testimony whereof, H. A. Wallace, Secretary of Agriculture, has hereunto set his hand and caused the official seal of the Department of Agriculture to be affixed in the City of Washington, District of Columbia, this 7th day of April, 1937.

[SEAL]

H. A. WALLACE, Secretary.

[F. R. Doc. 37-1027; Filed, April 8, 1937; 12:43 p. m.]

Bureau of Animal Industry.

[Amendment 6 to Declaration No. 12]

DECLARING NAMES OF COUNTIES PLACED IN MODIFIED TUBERCULOSIS-FREE ACCREDITED AREAS

APRIL 1, 1937.

In accordance with Section 2, of Regulation 7 of B. A. I. Order 309, as amended September 10, 1936, the following named counties, in the States named, are hereby declared "Modified Accredited Areas" until the date given opposite each county named.

Maryland: Carroll, April 1, 1940.

New Jersey: Somerset, April 1, 1940.

New York: Broome, Tioga, April 1, 1940.

Puerto Rico: Rio Grande, April 1, 1940.

In accordance with Section 2, of Regulation 7 of B. A. I. Order 309, as amended September 10, 1936, the following named counties, in the States named, having completed the necessary retests for reaccreditation, are hereby continued

in the status of "Modified Accredited Areas" until the date given opposite each county named.

Alabama: Dallas, Etowah, April 1, 1940.
 Arkansas: Logan, Yell, April 1, 1940.
 Colorado: Delta, Garfield, Montrose, Ouray, Pitkin, San Miguel, April 1, 1940.
 Georgia: Carroll, Clayton, Crisp, Dooly, Elbert, Fayette, Franklin, Rockdale, April 1, 1940.
 Illinois: Brown, Cass, Hamilton, Jackson, Schuyler, Wayne, April 1, 1940.
 Iowa: Louisa, Palo Alto, Story, April 1, 1940.
 Kentucky: Boyd, Letcher, Taylor, Washington, April 1, 1940.
 Minnesota: Pope, April 1, 1940.
 Mississippi: Calhoun, Grenada, April 1, 1940.
 Missouri: Dade, Henry, Polk, St. Clair, April 1, 1940.
 North Carolina: Halifax, Rockingham, Northampton, April 1, 1940.
 Oklahoma: Murray, Okmulgee, Woodward, April 1, 1940.
 Pennsylvania: Crawford, Lycoming, Tioga, Warren, April 1, 1940.
 South Carolina: Marlboro, April 1, 1940.
 Tennessee: Carroll, Johnson, Rutherford, April 1, 1940.
 Texas: Tarrant, April 1, 1940.
 Virginia: Cumberland, Isle of Wight, Northampton, Pittsylvania, April 1, 1940.
 West Virginia: Hancock, Mason, April 1, 1940.

Declaration No. 12, dated October 1, 1936, as amended, is hereby further amended accordingly.

A. W. MILLER,
 Acting Chief of Bureau.

[F. R. Doc. 37-1026; Filed, April 8, 1937; 12:43 p. m.]

FEDERAL COMMUNICATIONS COMMISSION.

SHIP RADIO TELEGRAPH SAFETY INSTRUCTIONS

MARCH 10, 1937.

The Commission having further considered the radio provisions of the International Convention for the Safety of Life at Sea, London, 1929, in the light of the proceedings in the matter of approval or disapproval of certain automatic alarm devices identified as Model A and Model B, Docket No. 4409, which were conditionally approved by Telegraph Division Order No. 28 of March 10, 1937,¹ today adopted the attached changes and additions to "Ship Radio telegraph Safety Instructions" of October 1, 1936, setting forth the requirements of law as of July 10, 1937, with reference to installation and use of automatic alarm receiving devices on shipboard.

[SEAL]

JOHN B. REYNOLDS,
 Acting Secretary.

To United States Ship Owners, Ship Operating Agencies, Ship Masters, Licensees of Ship Radio Stations, and Others Concerned

Subject: Change No. 1 to Ship Radiotelegraph Safety Instructions, October 1, 1936.

Effective Date: July 10, 1937.

The Ship Radiotelegraph Safety Instructions of October 1, 1936, are hereby amended as follows:

1. Delete paragraph 17 of the aforementioned Safety Instructions and substitute the following:

17. *Auto Alarm.*—(a) By an auto alarm receiver is meant a device which has been approved by the Commission in accordance with Telegraph Division Order No. 28, being identified as follows: Radiomarine Corporation of America "Model AP-8600 Auto Alarm", and "Mackay Radio and Telegraph Company Auto Alarm Type 101-A manufactured by Federal Telegraph Company."

(b) On Ships in which a watch is kept by means of an automatic alarm receiver, a means of giving an audible warning in the radiotelegraph operating room, in the radio operator's cabin and on the navigating bridge shall be provided, which shall operate continuously after the receipt of an alarm signal or a failure of the auto alarm system, until stopped. Only one switch for stopping the warning shall be provided and this shall be located in the radiotelegraph operating room. In addition, a failure resulting from prolonged static or noise, or both, shall operate a visual indicator on the bridge.

¹ 2 F. R. 724.

(c) Each auto alarm of the type designated above, when first installed aboard a vessel of the United States, must bear an identifying serial number. Two or more principal components of one complete installation shall bear the same number. After the initial installation, if any principal component is entirely replaced, the substitute unit shall bear the serial number of the initial unit but must be identified in addition as a replacement. For this purpose, the principal components are designated as follows:

Radiomarine Corporation of America "Model AR-8600 Auto Alarm"

- 1 Combined receiver and selector unit, without regard to container.
- 1 Control and terminal box.

"Mackay Radio and Telegraph Company Auto Alarm Type 101-A Manufactured by Federal Telegraph Company"

- 1 Selector unit, without regard to container.
- 1 Receiver Unit, without regard to container.

(d) Having regard to paragraph 9 of these instructions, the Commission shall be informed in writing on the prescribed form immediately upon completion of each auto alarm installation aboard any vessel of the United States. Each report shall specify the type and serial number of the alarm, the name of the vessel, the date of completion of installation, the call letters and name of licensee of the ship radio station and the name of the owner and operating company of the vessel.

(e) Upon completion of each auto alarm installation, the electron tubes and dry batteries shall be dated to coincide with the date of completion of the installation. Only new electron tubes and new dry batteries shall be installed. The Commission reserves the right to require the replacement of these electron tubes and dry batteries with new tubes and new batteries if and when such replacement shall be deemed necessary.

(f) Each installation of an auto alarm shall include at least two sets of written instructions for the guidance of the ship station radio operator and ship's officers relative to the auto alarm, which shall include:

1. A general technical description of the auto alarm, including a circuit diagram of the auto alarm receiver and a wiring diagram of its complete installation on shipboard.
2. A general explanation of its principles of operation.
3. A list of faults which may be indicated by the sounding of the audible alarm.
4. Explanation of how to correct faults, remove and replace defective parts and perform limited repairs at sea.
5. Explanation of how to test the alarm and adjust the sensitivity control to the "optimum" setting.
6. Explanation of the effect of various sensitivity control settings upon the operation of the alarm.
7. Description of procedure to be followed with respect to operator making adjustments when alarm bell sounds and also in making log entries.

In addition, the instructions stipulated under items 5 and 6 above shall be summarized upon a card and permanently attached to the front of the alarm in a conspicuous position.

(g) The testing device of each individual auto alarm shall be permanently adjusted upon installation to produce a test signal of the correct value. This adjustment shall be considered satisfactory when it becomes necessary to turn the sensitivity control from its position of lowest sensitivity (zero dial position) to its position of approximately one-third maximum sensitivity before the alarm can be actuated.

(h) While the ship is at sea the auto alarm shall be tested by means of the testing device supplied at least once every twenty-four hours, the timing of the dashes to be made by reference to the sweep seconds hand of the station's clock. A statement that the foregoing has been fulfilled must be inserted in the ship's official deck log and the radio log daily.

(i) Adequate records shall be maintained according to the prescribed forms covering operation of the auto alarm. These forms shall be mailed to the Commission at Washington, D. C., on the first day of each month, covering the month preceding, beginning January 1, 1938. These reports are for the information of the Commission and the contents thereof will not be disclosed.

(j) An entry shall be made in the ship's official log and the radio log when the warning light installed on the bridge to indicate when the alarm becomes inoperative remains lighted for a continuous period of five minutes. A statement shall be included giving particulars as to the time the operator was called to make the necessary repairs or adjustments, the reason for the failure, the names of any parts removed, added or substituted, and the time the alarm was restored to proper working condition.

2. Delete paragraph 19 of the aforementioned Safety Instructions and substitute the following:

19. *Clock.*—(a) Each ship fitted with an auto alarm shall be provided with a reliable clock with a sweep seconds hand, securely fastened in such a position that the seconds dial can be easily and accurately read by the operator from his normal receiving position, from the operating position at which he would transmit the auto alarm signal and from the operating position in the radio room used in testing the auto alarm for response to signals from the testing device. The clock shall have an hour dial not less

than 5" in diameter and it shall be capable of operation for at least eight days on one winding.

(b) Each ship station not fitted with an auto alarm shall be provided with a reliable clock with a seconds hand, preferably a sweep seconds hand, securely fastened in such a position that the seconds dial can be easily and accurately read by the operator from his operating position. It shall have an hour dial not less than 5" in diameter and it shall be capable of operation for at least eight days on one winding.

3. The following shall be added at the end of paragraph 23 of the aforementioned Safety Instructions:

(c) Each installation of an auto alarm shall be provided with sufficient tools and spare parts which will be necessary for the maintenance of the alarm in a normal operating condition. The following items are considered indispensable in the appropriate installation. (The Commission will publish a list of the appropriate items to reach alarm within sixty days of the date hereof).

4. Delete paragraph (e) of paragraph 25 of the aforementioned Safety Instructions and substitute the following:

(e) On a ship fitted with an auto alarm, the auto alarm shall, while the vessel is under way, always be in operation when the operator is not on watch, including periods when the direction finder is in use.

5. The explanatory note at the bottom of page 30 is amended by striking out the last sentence and inserting in lieu thereof:

No auto alarm has been approved for use under the provisions of paragraph 25 (a) (1) above; however, an auto alarm device may be installed on any ship for use in addition to any operator requirements.

[SEAL]

JOHN B. REYNOLDS,
Acting Secretary.

[F. R. Doc. 37-1021; Filed, April 8, 1937; 9:55 a. m.]

FEDERAL TRADE COMMISSION.

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 5th day of April, A. D. 1937.

Commissioners: William A. Ayres, Chairman, Garland S. Ferguson, Jr., Charles H. March, Ewin L. Davis, Robert E. Freer.

[Docket No. 2898]

IN THE MATTER OF CALIFORNIA LUMBERMEN'S COUNCIL, COAST COUNTIES LUMBERMEN'S CLUB, CENTRAL VALLEY LUMBERMEN'S CLUB, NORTHERN COUNTIES LUMBERMEN'S CLUB, PENINSULA LUMBERMEN'S CLUB, AND SAN JOAQUIN LUMBERMEN'S CLUB, AND THE OFFICERS, COUNCILMEN, AND MEMBERS OF SAID ORGANIZATIONS AND ASSOCIATIONS

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered that Charles F. Diggs, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered that the taking of testimony in this proceeding begin on Thursday, April 15, 1937, at ten o'clock in the forenoon of that day (Pacific Standard Time), Grand Jury Room No. 447, U. S. Post Office, San Francisco, California.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report. By the Commission.

[SEAL]

OTIS B. JOHNSON, Secretary.

[F. R. Doc. 37-1023; Filed, April 8, 1937; 12:01 p. m.]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 5th day of April, A. D. 1937.

Commissioners: William A. Ayres, Chairman, Garland S. Ferguson, Jr., Charles H. March, Ewin L. Davis, Robert E. Freer.

[Docket No. 2362]

IN THE MATTER OF ARCHIE RICHARD DAHL, INDIVIDUALLY, AND TRADING AS RELIABLE SALES COMPANY

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered that Miles J. Furnas, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered that the taking of testimony in this proceeding begin on Wednesday, April 21, 1937, at ten o'clock in the forenoon of that day (central standard time), in room 1123, New Post Office Building, Chicago, Ill.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report. By the Commission.

[SEAL]

OTIS B. JOHNSON, Secretary.

[F. R. Doc. 37-1022; Filed, April 8, 1937; 12:01 p. m.]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 5th day of April, A. D. 1937.

Commissioners: William A. Ayres, Chairman, Garland S. Ferguson, Jr., Charles H. March, Ewin L. Davis, Robert E. Freer.

[Docket No. 3066]

IN THE MATTER OF RUSSEK'S FIFTH AVENUE, INC., A CORPORATION

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered that John L. Horner, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered that the taking of testimony in this proceeding begin on Tuesday, April 13, 1937, at ten o'clock in the forenoon of that day (eastern standard time), in room 500, 45 Broadway, New York, N. Y.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report. By the Commission.

[SEAL]

OTIS B. JOHNSON, Secretary.

[F. R. Doc. 37-1025; Filed, April 8, 1937; 12:02 p. m.]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 5th day of April, A. D. 1937.

Commissioners: William A. Ayres, Chairman, Garland S. Ferguson, Jr., Charles H. March, Ewin L. Davis, Robert E. Freer.

[Docket No. 3018]

IN THE MATTER OF HENRY R. SHAPIRO, INDIVIDUALLY, AND TRADING AS MONARCH FASHION COMPANY

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41).

It is ordered that Miles J. Furnas, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered that the taking of testimony in this proceeding begin on Thursday, April 22, 1937, at ten o'clock in the forenoon of that day (central standard time), in room 1123 New Post Office Building, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report.

By the Commission.

[SEAL]

OTIS B. JOHNSON, *Secretary*.

[F. R. Doc. 37-1024; Filed, April 8, 1937; 12:01 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 7th day of April, A. D., 1937.

[File No. 31-386]

IN THE MATTER OF THE APPLICATION OF EASTERN SHORE GAS COMPANY

ORDER RESCINDING ORDER FOR HEARING AND CONSENTING TO WITHDRAWAL OF APPLICATION FOR EXEMPTION FROM PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

An order having been issued by the Commission on the 20th day of March, 1937,¹ setting a time and place at which a hearing shall be held on the application of Eastern Shore Gas Company, pursuant to Section 2 (a) (4) of the Public Utility Holding Company Act of 1935, for an order declaring it not to be a gas-utility company, and designating Charles S. Moore, an officer of the Commission to preside at such hearing, and

Counsel for Eastern Shore Gas Company having advised the Commission that it desires to withdraw such application.

It is ordered, that the aforesaid order dated March 20, 1937, setting a time and place for hearing on such application of Eastern Shore Gas Company, and designating Charles S. Moore, an officer of the Commission to preside at such hearing be, and the same hereby is, rescinded, and

The Commission, having due regard to the public interest and the interest of investors and consumers, upon the re-

quest of the applicant, consents to the withdrawal of the application for exemption of the above-named applicant, and to that effect.

It is so ordered.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1028; Filed, April 8, 1937; 12:53 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 7th day of April, A. D., 1937.

[File No. 31-387]

IN THE MATTER OF THE APPLICATION OF EASTERN SHORE GAS COMPANY OF VIRGINIA, INC.

ORDER RESCINDING ORDER FOR HEARING AND CONSENTING TO WITHDRAWAL OF APPLICATION FOR EXEMPTION FROM PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

An order having been issued by the Commission on the 20th day of March, 1937,¹ setting a time and place at which a hearing shall be held on the application of Eastern Shore Gas Company of Virginia, Inc., pursuant to Section 2 (a) (4) of the Public Utility Holding Company Act of 1935, for an order declaring it not to be a gas-utility company, and designating Charles S. Moore, an officer of the Commission to preside at such hearing, and

Counsel for Eastern Shore Gas Company of Virginia, Inc. having advised the Commission that it desires to withdraw such application,

It is ordered, that the aforesaid order dated March 20, 1937, setting a time and place for hearing on said application of Eastern Shore Gas Company of Virginia, Inc., and designating Charles S. Moore, an officer of the Commission to preside at such hearing be, and the same hereby is, rescinded, and

The Commission, having due regard to the public interest and the interest of investors and consumers, upon the request of the applicant, consents to the withdrawal of the application for exemption of the above-named applicant, and to that effect

It is so ordered.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-1029; Filed, April 8, 1937; 12:53 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C. on the 7th day of April, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE STANOLIND-AMERADA-TRANSWESTERN-SUNRAM FARM, FILED ON APRIL 3, 1937, BY GEO. C. CREAGER, INC., RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

¹ 2 F. R. 663.

¹ 2 F. R. 664.

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on April 5, 1937, be effective as of April 5, 1937; and

It is further ordered that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 37-1031; Filed, April 8, 1937; 12:53 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 7th day of April, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE MORRIS-SEIBEL-CLAYTON FARM, FILED ON MARCH 26, 1937, BY JAMES R. HAYNES, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;¹

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on April 5, 1937, be effective as of April 5, 1937; and

It is further ordered that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 37-1032; Filed, April 8, 1937; 12:53 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 3rd day of April, 1937.

[File No. 2-1711]

IN THE MATTER OF THE LIVINGSTON MINING COMPANY

STOP ORDER

This matter coming on to be heard by the Commission on the registration statement, as amended, of The Livingston Mining Company, of Boulder, Colorado, after confirmed telegraphic notice by the Commission to said registrant that it appears that said registration statement as amended includes untrue statements of material facts and omits to state material facts required to be stated therein and omits to state material facts necessary to make the statements therein not misleading, and upon evidence received upon the allegations made in the notice of hearing² duly served by the Commission on said registrant, and the Commission having duly considered the matter, and finding that said

registration statement, as amended, includes untrue statements of material facts and omits to state material facts required to be stated therein and material facts necessary to make the statements therein not misleading, all as more fully set forth in the Commission's Findings of Fact and Opinion this day issued, and the Commission being now fully advised in the premises,

It is ordered, pursuant to Section 8 (d) of the Securities Act of 1933, as amended, that the effectiveness of the registration statement filed by The Livingston Mining Company, of Boulder, Colorado, be and the same hereby is suspended. By direction of the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 37-1035; Filed, April 8, 1937; 12:54 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 7th day of April, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE STANOLIND-AMERADA-TRANSWESTERN-SUENRAM FARM, FILED ON APRIL 3, 1937, BY GEO. C. CREAGER, INC., RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)) AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

(1) In that the date on which the information contained in the offering sheet will be out of date as set forth in Division I, Paragraph 8, is not correct.

It is ordered, pursuant to Rule 340 (a)³ of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 7th day of May, 1937, that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered that Robert P. Reeder, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that the taking of testimony in this proceeding commence on the 22nd day of April, 1937, at 3:00 P. M. in the afternoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 37-1030; Filed, April 8, 1937; 12:53 p. m.]

² 2 F. R. 743.

³ 1 F. R. 1749, 1769.

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 7th day of April, A. D. 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE PURE-MAXFIELD FARM, FILED ON APRIL 1, 1937, BY P. R. KNICKERBOCKER, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A))
AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

(1) In that the farm name required to be stated preceding Division I is omitted;

(2) In that the information concerning the taxes, as set forth under Division II, Item 11, is not believed to be wholly correct;

(3) In that it is not stated in Division II, Item 12, to whom the taxes are payable;

(4) In that the name of the horizon and its average depth below the surface is not given, as required under Division II, Item 17 (a), nor is the information required under (c) and (d) of this item given in the proper manner;

(5) In that the smallest fractional interest proposed to be offered, as shown by Exhibit B, is in conflict with the statement made in Division II, Item 1;

(6) In that the correct form for Division III of Schedule A has not been used. (The form as used in this filing was discontinued July 1, 1936.)

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 7th day of May, 1937; that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered that Robert P. Reeder, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that the taking of testimony in this proceeding commence on the 22nd day of April, 1937, at 2:00 o'clock in the afternoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 37-1033; Filed, April 8, 1937; 12:54 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C. on the 7th day of April, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE BRITISH-AMERICAN-KIRSCH-WINDERS FARM, FILED ON APRIL 1, 1937, BY J. H. LIEBERMAN, INC., RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A))
AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

(1) In that the correct farm name required to be stated preceding Division I and under Division II, Item 2 (a), is omitted;

(2) In that the price of oil set forth in Division II, Item 1, may not be correct and does not agree with the price of oil stated in Division II, Item 16 (e);

(3) In that it is stated in Division II, Item 17 (b), that the "Wilkerson #1" was completed January 17, 1937, whereas the plat attached as Exhibit A shows it as still being drilled April 1, 1937. The information disclosed by the plat with reference to said "Wilkerson #1" also disagrees with that given in Division II, Item 18 (a) (v);

(4) In that the legal description disclosed by Exhibit B appears to disagree with description of the tract as shown by Exhibit A;

(5) In that the statement made in Division II, Item 13, is not believed to be correct by reason of the fact that the number of flowing wells may not be correctly given;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 7th day of May, 1937; that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered that Robert P. Reeder, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that the taking of testimony in this proceeding commence on the 22nd day of April, 1937, at 2:30 o'clock in the afternoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 37-1034; Filed, April 8, 1937; 12:54 p. m.]